1	Honorable Benjamin H. Settle				
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6	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON				
7	AT TACOMA				
8	CEDAR PARK ASSEMBLY OF GOD OF KIRKLAND, WASHINGTON,) Civil No. 3:19-cv-05181			
9) SUPPLEMENTAL			
10	Plaintiff, v.	 VERIFIED COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF 			
11	MYRON "MIKE" KREIDLER, in his official)			
12	capacity as Insurance Commissioner for the State of Washington; JAY INSLEE, in his official))			
13	capacity as Governor of the State of Washington,)			
14	Defendants.) -			
15	Plaintiff, Cedar Park Assembly of God of Kirkland, Washington, by and through its				
16	undersigned attorneys, files this Complaint for Injunctive and Declaratory Relief against the				
17	Defendants, in their official capacities, and alleges as follows:				
18	INTRODU	CTION			
19	1. Paragraphs 1 through 3 of Plaintiff's Second Amended Verified Complaint (ECF				
20	No. 46), with paragraph numbers, are adopted here	pursuant to Fed. R. Civ. P. 10(b) and 10(c).			
21	NATURE OF THE CASE				
22	2. Paragraphs 4 through 8 of Plaintiff's Second Amended Verified Complaint, with				
23	paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).				
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	SUPPLEMENTAL 1 VERIFIED COMPLAINT 3:19-cv-05181	ALLIANCE DEFENDING FREEDOM 15100 N. 90th Street Scottsdale, Arizona 85260 (480) 444-0020			

1 JURISDICTION AND VENUE 9. Paragraphs 9 through 14 of Plaintiff's Second Amended Verified Complaint, with 2 3 paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c). 4 **PARTIES** 15. Paragraphs 15 through 17 of Plaintiff's Second Amended Verified Complaint, with 5 6 paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c). 7 **FACTS** Cedar Park Assembly of God 8 9 18. Paragraphs 18 through 23 of Plaintiff's Second Amended Verified Complaint, with paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c). 10 11 Cedar Park's Beliefs Regarding the Sanctity of Human Life and Abortion 12 24. Paragraphs 24 through 38 of Plaintiff's Second Amended Verified Complaint, with 13 paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c). 14 Cedar Park's Employer-Sponsored Health Insurance 39. Paragraphs 39 through 48 of Plaintiff's Second Amended Verified Complaint, with 15 paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c). 16 17 On August 14, 2019, Cedar Park was informed that its insurance provider, Kaiser Permanente, would require Cedar Park to include abortion coverage in its health care plan set to 18 19 renew on September 1, 2019. Due to the late notice from Kaiser and the Church's commitment to 20 care for its employees through the continuity of health care coverage, Cedar Park made the decision 21 to renew its insurance plan, and did so under protest. 22 48.2 Kaiser Permanente has stated that it will not be accommodating any abortion 23 exclusions to fully insured groups, including Cedar Park. Kaiser therefore will not permit Cedar Park to invoke the limited religious exemption in RCW § 48.43.065, which allows Cedar Park to 24 ALLIANCE DEFENDING FREEDOM 15100 N. 90th Street

1	refuse to directly provide coverage for abortion or abortifacient contraceptives (but still allows the		
2	insurer to charge Cedar Park a separate premium or fee for the objectionable coverage).		
3	48.3 Kaiser Permanente will change the Church's plan mid-year to eliminate coverage		
4	of abortion if SB 6219 is enjoined.		
5	Senate Bill 6219		
6	49. Paragraphs 49 through 58 of Plaintiff's Second Amended Verified Complaint, with		
7	paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
8	<u>RCW § 48.43.065</u>		
9	59. Paragraphs 59 through 76 of Plaintiff's Second Amended Verified Complaint, with		
10	paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
11	The Effect of SB 6219 on Cedar Park		
12	77. Paragraphs 77 through 89 of Plaintiff's Second Amended Verified Complaint, with		
13	paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
14	COUNT I		
15	Violation of the Free Exercise Clause of the First Amendment to the United States Constitution		
16	90. Plaintiff realleges all matters set forth in paragraphs 1–89 and incorporates them		
17	herein.		
18	91. Paragraphs 91 through 134 of Plaintiff's Second Amended Verified Complaint,		
19	with paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
20	COUNT II		
21	Violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution		
22	135. Plaintiff realleges all matters set forth in paragraphs 1–89 and incorporates them		
23	herein.		
24	ALLIANCE DEFENDING FREEDOM		

1	136. Paragraphs 136 through 148 of Plaintiff's Second Amended Verified Complaint.		
2	with paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
3	COUNT III		
4	Violation of the Establishment Clause of the First Amendment to the United States Constitution		
5	149. Plaintiff realleges all matters set forth in paragraphs 1–89 and incorporates them		
6	herein.		
7	150. Paragraphs 150 through 160 of Plaintiff's Second Amended Verified Complaint		
8	with paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
9	<u>COUNT IV</u>		
10	Violation of Religious Autonomy Guaranteed by the Religious Clauses of the First Amendment to the United States Constitution		
11	161. Plaintiff realleges all matters set forth in paragraphs 1–89 and incorporates them		
12	herein.		
13	162. Paragraphs 162 through 172 of Plaintiff's Second Amended Verified Complaint.		
14	with paragraph numbers, are adopted here pursuant to Fed. R. Civ. P. 10(b) and 10(c).		
15	PRAYER FOR RELIEF		
16	WHEREFORE, Plaintiff respectfully requests that:		
17	A) This Court render a Declaratory Judgment, adjudging and declaring that SB 6219		
18	and RCW § 48.43.065 violate the First and Fourteenth Amendments to the United State		
19	Constitution, facially and as applied to Cedar Park;		
20	B) This Court enter an injunction preliminarily and permanently enjoining Defendants		
21	and their agents from enforcing SB 6219, facially and as applied to Cedar Park;		
22	C) This Court enter an injunction preliminarily and permanently enjoining Defendant		
23	and their agents from applying RCW § 48.43.065 to Cedar Park and other similar religiou		
24	organizations in a discriminatory manner;		
	SUPPLEMENTAL ALLIANCE DEFENDING FREEDOM 15100 N. 90th Street Scottsdale, Arizona 85260		
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1	D)	This Court issue the requested injunctive relief without a condition of bond or other	
2	security being required of Cedar Park;		
3	E)	This Court award Plaintiff attorney fees and costs against the Defendants under 42	
4	U.S.C. § 1988, and any other applicable statute; and		
5	F)	This Court award such other and further relief as it deems equitable and just.	
6			
7		Respectfully submitted this 3rd day of October 2019,	
8		By: <u>s/Kevin H. Theriot</u>	
9		Kristen K. Waggoner (WSBA #27790) Kevin H. Theriot (AZ Bar #030446)* Elissa M. Graves (AZ Bar #030670)*	
10		ALLIANCE DEFENDING FREEDOM 15100 N. 90th Street	
11 12		Scottsdale, Arizona 85260 Telephone: (480) 444-0020 Facsimile: (480) 444-0025	
13		Email: kwaggoner@adflegal.org ktheriot@adflegal.org	
14		egraves@adflegal.org David A. Cortman (GA Bar #188810)*	
15		Alliance Defending Freedom 1000 Hurricane Shoals Rd. NE	
16		Suite D-1100 Lawrenceville, GA 30040	
17		Telephone: (770) 339-0774 Email: dcortman@adflegal.org Counsel for Plaintiff	
18		* Admitted <i>pro hac vice</i>	
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1 **CERTIFICATE OF SERVICE** I hereby certify that on October 3, 2019, I electronically filed the foregoing document with 2 the Clerk of Court using the CM/ECF system, which will send notification of such filing to the 3 following: 4 5 Jeffrey Todd Sprung Paul M. Crisalli 6 ATTORNEY GENERAL'S OFFICE 800 5th Ave Ste 2000 7 Seattle, WA 98104 8 Joyce A Roper ATTORNEY GENERAL'S OFFICE 9 PO Box 40109 Olympia, WA 98504 10 Marta U DeLeon 11 ATTORNEY GENERAL'S OFFICE PO Box 40100 12 Olympia, WA 98504 Counsel for Defendants 13 14 DATED: October 3, 2019 s/Kevin H. Theriot 15 Kristen K. Waggoner (WSBA #27790) Kevin H. Theriot (AZ Bar #030446)* 16 Elissa M. Graves (AZ Bar #030670)* ALLIANCE DEFENDING FREEDOM 17 15100 N. 90th Street Scottsdale, Arizona 85260 18 Telephone: (480) 444-0020 Facsimile: (480) 444-0025 19 Email: kwaggoner@adflegal.org ktheriot@adflegal.org 20 egraves@adflegal.org 21 David A. Cortman (GA Bar #188810)* ALLIANCE DEFENDING FREEDOM 22 1000 Hurricane Shoals Rd. NE Suite D-1100 23 Lawrenceville, GA 30040 Telephone: (770) 339-0774 24 ALLIANCE DEFENDING FREEDOM

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1	Email: dcortman@adflegal.org Attorneys for Plaintiff Cedar Park Assembly of God
2	of Kirkland, Washington
3	* Admitted pro hac vice
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SUPPLEMENTAL VERIFIED COMPLAINT 3:19-cv-05181

DECLARATION UNDER PENALTY OF PERJURY

I hereby declare under penalty of perjury, including pursuant to 28 U.S.C. § 1746, that the foregoing factual allegations are true and correct.

Executed on this ____ day of October 2019 in the United States.

Jason "Jay" Smith

Senior Pastor, Cedar Park Assembly of God of Kirkland, Washington

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